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THE  
SENTIMENTS  
OF A  
T O R Y,

In Respect to a late  
IMPORTANT TRANSACTION,  
And in Regard to the  
Present Situation of AFFAIRS.



L O N D O N :

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# P R E F A C E.

**T**HERE seems to be no Need of an Apology for handling a Subject already brought before the Tribunal of the Publick, and therefore it is not to the Publick but to the Tories I address this Preface, who may possibly think an Apology needless on another Account, viz. their Conduct having met with general Approbation.

Yet if they consider, that, notwithstanding the Reasonableness of their Behaviour, and the Testimonies they have received of the World's judging as they did, some Men have, notwithstanding, had the Boldness to erect a Beam to weigh them in the Ballance, and to declare them wanting. I say, considering this, and the near Approach of a general Election, they can hardly judge such a Vindication either needless or improper; or, if they do, it must be out of that Contempt for Calumny which has so often cost them dear, and which they ought therefore no longer to affect. The Character of a Party, as well as that of a private Man, is so tender, especially at this Juncture, that too much Care cannot be taken of it, especially when those who compose it are absolutely in the Right.



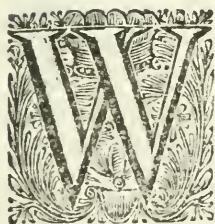
*In the Examination of so nice and delicate a Point, I can safely say, that I am not conscious of having shown a Zeal for any Thing save Truth, and the Tory Principle. I have endeavoured to vindicate both, and to set them in the fairest Point of Light; but, in order to this, I have not made Use of the common Artifice, of throwing other Peoples Characters into Shade. It is the great Foible of our present political Writers, that they discover but little Concern for Facts and Evidence, while they are passionately fond of insisting on such Topicks as serve only to spread personal Prejudice; and I cannot help saying, that while this Conduct is pursued, it is not likely we should get out of those Difficulties into which this pernicious Practice originally plunged us. We may certainly stifle Heats and Animosities, tho' we may not be able to eradicate Distinctions. Nothing is more certain, than that the honest Men of all Parties mean their Country well, though they may differ about the Means of serving it; but, at the same Time, if these Differences rise so high as to take away all Regard to Justice and Decency, it is evident, that however private Men may serve themselves, the Publick will run the Hazard of not being served at all. A Proposition, which, whoever will grant, let him be of what Party he will, he cannot be displeased with the following Pages.*

T H E





THE  
SENTIMENTS  
OF A  
T O R Y, &c.



WHEN private Men have any particular Purposes to carry in Virtue of Pretences to serve the Publick, they have always Recourse to plausible Discourses, and pretend to act from Principles widely different from their real Motives. This seems to have given Birth to the modern Doctrine of abolishing, or, which is the same Thing, uniting all Parties; a Kind of Methodism in Politicks, whereby a Pretence is made to a higher Degree of State-Purity, than can be reasonably expected amongst *Englishmen*.  
That

That it would be really a very happy Thing, if there were no Parties, no Distinctions, no Separation of Interests among us, is, I presume, what no Man in his Wits would dispute ; but that ever we shall be in this State, that Patriotism shall perform more than Religion ever could, that is, make us all of one Mind, is, I likewise presume, what no Man in his Senses will believe. In short, in my Judgment, a Coalition of Parties is as chimerical a Notion, as the Kingdom of Saints, or the fifth Monarchy.

It was originally broached by the *Shaftsbury* of the present Age, a Man, to be sure, well versed in the History and Interest of Parties, since, in the Course of his Life, he has been of all, and, I believe I may say, at the Head of all the capital Parties in these Kingdoms, I mean *Whigs*, *Tories*, and *Jacobites*, and therefore no Man fitter to form this Project of a Coalition, which was, in short, a Project for the putting himself at the Head of them again all at once. I do not say this out of any Picque to this refined Statesman, but I say it out of Regard to Truth, out of Respect to my Country, and for the Sake of that Body of Men with whom I always have, and, I believe, always shall, concur.

The Reason why he proposed this extraordinary Scheme, and took so much Pains  
to

to reduce his Notions in Politicks into a System grounded thereon, was plainly this, that the Bulk of those who were to form the Party he was to use, might not perceive how small the Number of those Men were, who, in case of Success, were to reap the Benefit of their Labours. For this End, the Project was very ingeniously contrived, and if it's Author will be content with a reasonable Share of Applause, it cannot be denied him, on Account of the Address, and even Success, with which, for a long Time, he managed it. But if he, or any of his Disciples, are so sanguine as to imagine, that a certain Body of Men, who have always distinguished themselves by a steady Adherence to Church and Crown, were the Dupes of this chimerical Notion, and resolved to maintain it at the Expence of their old established Principles, they are mistaken, grossly mistaken; for these Men are alike incapable of being awed by Men in Power, or of being wrought upon to do unreasonable Things in order to serve such of their Friends as aim at Power.

Since it is impossible for us to make Mankind what we would have them, the wisest Thing we can do is to take them as they are. Instead therefore of pretending to extirpate Parties, a Work that no *Hercules* in Policy will ever be able to perform, let us be content to expect that each Party should act  
upon

upon it's avowed Principles, and, perhaps, this may conduct us to the same or to a better End. *Tory* and *Whig* are Terms that have now a settled Meaning, and the moderate Men of both Parties, I mean such as consult their Reason and the Constitution, will always acquiesce in such Measures as have an evident Tendency to the publick Good. As for the Zealots on both Sides they may attempt unreasonable Things, and shew their good Will to reduce us to Extremities, but they will never be able to effect their foolish Purposes, or embroil the Nation, as it has been heretofore embroiled, by the Madness of both Parties.

In the Case of the pretended Coalition, a Spirit of Dissimulation must reign throughout all Parties, which could not long answer the Purposes of any, and must, by Degrees, disgust all. There is something extremely odd, to say nothing more harsh, in seeing a Man, who for twenty or thirty Years has professed himself a *Tory*, harranguing in a publick Assembly on *Whig* Principles, and urging, with the greatest Vehemency, what himself had as vehemently heretofore opposed and condemned. It must appear as whimsical for one known to be a thorough *Whig*, to personate a Character I shall not mention, and to throw out such Insinuations as cannot, in Reason, be supposed to give his Foes any

any true Umbrage, or to give any real Satisfaction to such as, for a Time, he thinks fit to call his Friends. This acting in Masquerade is so uneasy, I had like to have said so unnatural, to Men of Sense and Spirit, that they cannot persist in it long, and therefore one would think it by no Means advisable that they should be put upon playing these Parts at all.

While People profess their real Principles, while *Tories* act like *Tories*, and *Whigs* like *Whigs*, we know what we are doing, and we know the Issue of our Doings; but when once it comes to be laid down for a Maxim, that on certain Occasions Men are to forego their own Sentiments in publick Affairs, in order to carry favourite Points, why then this is a direct Declaration for illegal Influence, and it signifies not a Straw as to the Rectitude of the Measure, whether it be for or against a Court. At least, this is my Judgment, and the Judgment of many of my Acquaintance.

The *Tories* have been very unjustly charged by their Enemies with being Bigots in respect to Religion, and Slaves in respect to their political Principles, whereas they are extremely free in their Opinions with respect to both. They are warm Friends to the established Church, not because it is established, but because they look upon it to be



the best constituted Church upon Earth. For the same Reason, they are zealous for the good old *English* Constitution, which their Reason tells them hath assigned a proper Proportion of Power to the Crown, the Nobles, and the People. But though from these Motives they are inviolably attached to the Settlement in Church and State, yet they are far from supposing that either Churchmen or Statesmen are infallible, or that there is any Impiety in prosecuting a profligate Priest, or Disloyalty in opposing the pernicious Designs of an ambitious Statesman. In short, they are for the Church, that they may secure Peace hereafter, and for the Constitution that they may enjoy it here. Such are the true Principles of the *Tories*, and such as own any other Principles are no *Tories*.

Men of these Principles have been generally speaking the Majority in this Nation, and have appeared so, whenever they have had Sense enough to remain fixed to their Principles, and firm to each other. They were undoubtedly the greater and the better Part of the People in 1641. In order to be convinced of this, we need only peruse the List of the Lords and Commons who repaired to the King at *Oxford*, in the first Year of the War. How they came afterwards to be divided, and, in Consequence thereof, to be destroyed, and to be subjected by a handful  
of

of their fellow Subjects, is visible enough to all who are well acquainted with the History of those Times. After the Constitution was restored in the Year 1660, they became apparently the Majority again, and continued so during all the Time the long, or as some, tho' in my Opinion not very justly, call it the Pension-Parliament, remained in being. That Parliament, which acted agreeable to the Constitution, expressed it's Duty to the King with great Chearfulness, and it's Devotion to the publick Interest by Acts of legal Resentment. It is true, that Parliament erred in some Things, and was, perhaps, rotten in some of it's Members, but it was sound at Heart, and therefore when the King plunged into corrupt Measures, he parted with it, and lived to repent it. In 1688, the *Tories* concurred in bringing about the Revolution, eminently concurred, and therefore they have as just a Right to the Fruits of it as any other Set of Men in *Britain*, whatever some may pretend to the contrary.

As to the constant Course of their Conduct before and since that great Period, I do not pretend wholly to justify, any more than I think it reasonable wholly to condemn it. The *Tories*, like all other Parties, were, in so long a Tract of Time, often divided, and sometimes mistaken ; but in great Points, and where they had sufficient Evidence to



guide them, they were commonly in the Right. In the Course of the Civil War, the *Tories* (for such the wiser Cavaliers were) did their utmost to support the Crown, but by no Means inclined to make an absolute Conquest of their fellow Subjects; and though they were then ruined by their Principles, yet their Country recovered it's Constitution at the Restauration. In the Days of King *Charles II*, they were for limiting a *Popish* Succession, though out of Tenderness to the Rights of the Crown, they were against an Exclusion. But when King *James* had done all that his Enemies suggested he would do, they chearfully concurred in expelling him; but in doing this they took Care not to hurt the Constitution, which, in their Judgment, is precisely the same now, that it was then, the Difference of Families excepted.

As to the Behaviour of the *Tories* of late Years, there want not many to censure it as absurd and extravagant, but then they do it without the least Consideration of their Principles. They will have the *Tories* to act wrong, when they do not act according to their Liking, whereas, in Truth, they can only be said to act wrong as a Party, when they act in a Manner inconsistent with their own Principles. This is the plain Reason why such an Outcry has been lately made, as to their Manner of acting. It is an Outcry

cry against *Tories* upon a *Whig* Principle, or rather upon the Principle of bigotted *Whigs*, and consequently it is an Outcry very ill founded. *Whigs* and *Tories* may go along together in the same Measures, each upon their own Motives, and they may, as they ought, to esteem one another, while they act in this Manner; but when, upon some particular Point, they divide, in pursuance of their Principles, it is Madness in either Party to exclaim against the other, because the thing is natural, so natural, that nothing could have hindered it's happening, but one Party's acting like Knaves or like Fools.

This, without Passion or Prejudice, I shall endeavour to make plain, in order to wipe off a Scandal, which great Pains has been taken to fasten on a very worthy Set of Men, for acting according to the Dictates of their Consciences, in discharge of the Trust reposed in them by their fellow Subjects, and in Support of the Laws and Constitution of their Country, which, in their Judgments, and sure in the Judgments of all honest Men, ought never to be postponed or to give Way.

But previous to this I must observe, that all I have to offer is purely defensive, and that I no more pretend to condemn other People, than to subscribe to their Censure of those I think in the Right. This  
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the Nature of the Dispute, the Liberty of the present Times, and some Pieces lately published, seem to make both necessary and just. For sure when Ministers, when Kings, when Parliaments, are treated with so little Ceremony by such as expect we should think them Patriots, it can be no Crime to speak one's Sentiments freely, and to profess one's Opinion, that other Folks may be Patriots too. For we know that Men may differ amongst themselves, and yet be none of them in the Wrong, provided they all make the best Enquiries they can, and act as their Reason directs in Consequence of such Enquiries. It is necessary to say thus much to prevent Misapprehension or Misconstruction, in an Age wherein People are but too apt to condemn before they consider, and to publish their Sentence as soon as they have past it.

In order to proceed as regularly as possible, I shall observe, that the only Evidence that has been offered in support of this extraordinary Charge, against a certain Set of Men, as if they were Deserters of the Common Cause, and People, who acted contrary to their Principles, is their not going along in a certain Measure with a Set of Gentlemen, with whom, in many other Things, they have heartily concurred. For my own part, I must confess, this looks to me like confounding the Charge and the Proof; for unless it could  
be

be demonstrated, that these Gentlemen are infallible, it is not very clear to me, that leaving them is any more a Crime, than joining them a Virtue. Indeed the Matter is somewhat helped by saying, that the Reasons which led them to concur in other Cases, ought to have had the same Effect in this: And still this is no better than begging the Question; for if they were free to examine those Reasons in other Cases, and honest enough to make a right Application of them, I cannot, for my part, see what Ground there is for censuring the Step they have now taken, unless they were charged with Corruption, which, I believe, even by those who accuse them, was never suspected. But, it may be, they were deceived or infatuated. Yet even this has never been cleared up. I have, indeed, read a little Treatise tending this Way, and have heard many Discourses of this Sort, but never any that perswaded me, or that, in my Judgment, could perswade any Man, who would allow himself to think freely, and to examine Things closely. However, I shall give all these Arguments their due Weight, in the subsequent Part of my Discourse, having no Desire to perplex or obscure, but rather to come at and manifest, the Truth, without Fear or Favour, and without any Byass either from Prejudice or Affection.

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In the first Place it is said, that it is not reconcileable to Reason, for Men to scruple any Sort of Censure on the Author of Measures, which they have declared to be Wrong. The *Tories*, say their Accusers, have voted for many Years against the keeping up so large a Number of regular Troops, against the Payment of large Sums abroad for the Hire of foreign Forces, against many Articles of the Expences of the Government at home, against the Excise-Scheme, against several Penal Laws, against several Steps taken in respect to foreign Affairs, particularly against the Convention, and many other Things. After all this, say they, what Reason, what Argument can be offered, why they should not have concurred, to their utmost, in procuring a Parliamentary Censure of a Person, who promoted all these Measures, who spoke for them, who voted for them, and who laboured all he could to procure them those Sanctions from the Legislature, which were necessary to carry them into Execution?

Those who talk in this Stile do not seem to consider what, at other Times, they have advanced with great Boldness, and maintained with the greatest Warmth, *viz.* that a Spirit of Opposition is agreeable and even essential to our Constitution. This, I must own, is a Doctrine which sometimes, I think, has



has been carried too far; and yet while it is taken in a modest and moderate Sense, I confess, I think it true. There ought to be, especially in Parliament, a Spirit of Enquiry; or, if you will, a Spirit of Jealousy. Power is a dangerous and intoxicating Thing, and those who are possessed of it are but too apt to carry it a little farther than they ought, let them be of what Party they will. For this Reason there hath been, and, I hope, there always will be, a Party willing to inspect the Actions, and ready to controul the Councils, of every Administration. But this is far from doing any Hurt to the People in general, to the Parliament in particular, or to the Administration itself, which it opposes. On the contrary, it does good to all, it encourages the People not to submit tamely to any Grievances, it keeps up that Life and Freedom which ought to appear in Parliamentary Debates, and it serves to restrain Men in Power from the vain Imagination, that either they may do what they will, or that it is in their Power. Besides, it procures the Examination of whatever Points are proposed, it creates Circumspection in all who have any Thing to do with publick Affairs, it excites, by Controversy, the Delivery of various Councils, whereby Ministers often reap great Advantages, even from those who mean them no Good. From all this it

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follows,

follows, that Men of the strictest Honour, Men of the greatest Loyalty to their Prince, Men who have the utmost Zeal for the Constitution, may engage in such an Opposition with a View only of coming at Truth, of serving their Constituents as they ought, and of promoting the true Interest of their Country, without any selfish Views of Profit, or personal Prejudices against those whom they oppose.

One must easily perceive, that the Burthen of rendering this good Office to the State, must naturally fall upon such as have no Share in the Administration, or, at least, chiefly upon them. Because, having less Knowledge of the Springs of Action, they are the more ready to entertain Jealousies, even of just and reasonable Measures; which however begets no Inconvenience, since, from their being opposed and examined, they come to appear just and reasonable, which otherwise they would not have been so thoroughly known to be. Because such as have no Connection with the Administration, have less Opportunities of knowing their Capacities and Zeal for the publick Service, and, consequently, are by no means inclined to take any Thing they offer upon Trust; which, tho' it may be sometimes inconvenient for them, yet is very rarely detrimental to the State. Because such independent Persons are usually applied  
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to by the People, and by such as have, or think they have, as great Knowledge in Matters of publick Concern, as those who manage them ; of which Sort of Folks there will never be any Dearth in a free Nation.

These Reasons sufficiently explain why the *Tories* have been so long and so generally in the Opposition ; it is on Account of their having so seldom the Honour to be trusted with any Share of Power, and their having so generally the Honour to be confided in by their Countrymen. If, therefore, their Conduct in Parliament has been such, as, by keeping up a just and moderate Opposition, they have maintained our Constitution in Health and Vigour, in what have they done amiss ? Or why, in the Name of God, do these Gentlemen rise up their Accusers ? If they had sometimes approved too hastily of loading the People with Taxes, or restraining their Freedom by penal Laws ; If they had supported certain Steps in Government, and then clamoured against their Consequences ; If they had violently decried one Scheme, dangerous to the Peoples Properties, and a little after as violently cried up another of the same Stamp, they might justly have been arraigned of Passion, Giddiness, and Inconsistency. But considering that their Conduct has been exactly uniform, that they have never interposed, but where their Constituents

were nearly concerned, that they have not been afraid to express their Sentiments very freely, from Principles of Affection to their Country, though others have unjustly imputed it to Affection for another Cause. If after long and solemn Debates, they have voted according to the Dictates of their Conscience, why ought they not to be esteemed Persons of Candour, Courage, and Constancy, and if a Man may venture to say it in Favour of *Tories*, why should they not be thought Patriots? Are there any Set of Men in the Kingdom, who can bring better Testimonials than these?

But if this Conduct of theirs should entitle them to the Character of Patriots, I cannot, for the Soul of me, see why it should render them Persecutors. Put the Case as their Accusers would put it, that they have generally differed from another Set of Men in their Notions of publick Affairs, does it follow that they ought to esteem those Men Enemies to their Country? Is this consistent with that Temper and Moderation, which ought to be preserved by those who make it a Rule with them, to oppose the Administration for the Sake of Truth and of their Country? Instead of a Spirit of Opposition, would not this be a Spirit of Rancour and Fury? Do not Gentlemen bear but very impatiently, the Insults they receive from any Tools of Power,

Power, on Account of exerting that Liberty of Speech, to which they have a Right by the Constitution? And shall they, while they think this Warmth of their's just, express a greater Spirit of Resentment, on as slender a Foundation? May not Men differ about the Means of serving their Country, and neither Side be Traitors? Nay, does not this extraordinary Concern demonstrate, that neither Side are Traitors, for whence comes it but from Zeal to their Country? These are fair and natural Questions, such as every candid and well-meaning Man must answer in the Affirmative.

If their Reasoning was to prevail, Censures and Impeachments would be the Business of every new Parliament, and then where would be the Liberty of speaking? the Minority, in this Case, would be always safe; those in Power, and those who were in the same Sentiments with Men in Power, would be alone liable to Clamour, and solely subject to Punishment. And for what? why for acting according to their own Sentiments, for acting according to the Custom and Usage of Parliament. Did we ever want a Majority and a Minority in the House of Commons, or did there ever want warm Men on both Sides, who pretended to assign base Reasons for other Peoples Behaviour? But was this ever thought justifiable, was it ever thought tolerable

tolerable, why should it now change it's Nature, and all of a sudden become Evidence? It is possible to assign the Time, when it became just to censure the Proceedings of a certain Person? Shall we assign the Convention, shall we assign the Excise-Scheme? If we do, some Gentlemen must be included who now pass for Patriots, and if they were misled by Appearances, if they were innocently drawn to concur in those Measures, by what Criterion do we distinguish? Might not another Person be as innocent as they? If a Man acts according to the best of his Judgment, in the Service of his Country in Parliament, for my own part, I confess, I see no Ground for inflicting a Parliamentary Censure, because if this were once done, no Minister, nay, in Truth, no Member, would be safe. I shall have Occasion to set this in a clearer Light hereafter, and therefore I shall say no more of it at present.

That the *Tories* have neither courted, nor stood in Awe of, the Administration for many Years past, even those who are of late so angry with them, unanimously admit, for upon their Opposition they ground this Accusation. This then being the Case, why should they imagine that they were governed, on this Occasion, by any other Motive, than that which always governs them, their Concern for their Country's Interest? or why  
should



should it be thought more unreasonable for them to dissent, for once, from Gentlemen, with whom they have long concurred, than to dissent very often from Gentlemen, with whom they have sat much longer? Is not the great, nay, is not the sole Argument, which is alledged against the Majority, as a Proof of their being under some Influence, their being always of one Mind, and shall it be urged as a Thing criminal against other Gentlemen, that after free and fair Debates they were not all of one Mind; sure this is an odd Way of arguing, and such as, in the Opinion of any judicious and impartial Person, can never be thought conclusive.

But the great Point in Debate is, how far these People might be governed by Principle; and therefore my Business is to shew, that such of the *Tories* as have been accused, acted exactly conformable to their Principles; which, if I can do, they ought surely to be acquitted. It is necessary here, however, to take Notice of the Difference between a Party and a Faction, for want of attending to which many People, and even some political Writers, have run into great Mistakes. A Party is the same Thing, with respect to Civil Affairs, as a Sect with Regard to Religion, they act from the Dictates of their Conscience; and conformable to a certain System of Opinions, which they take to be right. A Faction  
again,

again, is a Body of Men acting upon no Principles, but from a selfish Scheme of Interest, which allows them to go any Length with any Party, provided they may thereby serve themselves. For Example, those who opposed the Court in 1641 were a Party, but those who, leaving the House of Commons, fled to the Army, and afterwards sitting under an armed Force, in order to give, as far as they were able, the Colour of Law to the most illegal Acts, these, I say, were a Faction.

Though the Grounds of a late Motion have been, as Occasion served, or rather directed, branched out into a Multitude of Charges, each heightened by all the Arts of ingenious Eloquence, yet after all it has been owned, even by the most sanguine Advocates for this Parliamentary Prosecution, that it might very well be reduced under these two Heads, *viz.* the assuming the Office of Prime Minister, and the acting therein so as to warrant an accumulative Charge. Each of these Heads I shall examine upon *Tory* Principles, and shall clearly shew, that, without deserting those Principles, Gentlemen of that Party could not possibly be for such a Measure; and consequently that there is not the slightest Colour to suppose their dissenting from, and opposing it, flowed from any other Cause than that of Attachment to the Constitution of

of their Country, in the Light it has been always considered by them.

First then, as to the Notion, that a Person's being singularly favoured by his Sovereign, and honoured with particular Confidence in respect to his Councils, carries in it something criminal; it does not appear that this is at all contrary to any Law, or even to the antient Usage of this Kingdom; neither, on Recourse had to History, will it appear, that the Mischiefs which this Nation has suffered from some great Ministers, have outweighed the Benefits which it hath received from others. Our Glory, Liberty, and Trade, are chiefly owing to the Wisdom and Integrity of the three great Ministers, *Burleigh*, *Clarendon*, and *Godolphin*, and therefore it looks a little strange to talk of punishing a Man merely for standing in their Place. Indeed, as this Notion has been stated by some Writers, as the Minister has been represented, as a Visier, a Vice-gerent, an Atlas, and Nobody knows what, his very Office might appear criminal in the Eyes of the People; but when it is considered, that in Truth, he deserves none of these Attributes; and that he is dressed out in those Robes by his Enemies, not by his Master; it cannot be expected that such as preserve their Senses, and a due Respect to their Character, should swallow so crude an Accusation; especially

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when



when they reflect, that the *Tories* of former Times always thought a principal Minister of as great Consequence to the State, as to his Master; and were wont to attribute Miscarriages, in publick Affairs, not to the Choice, but to the wrong Choice of such a Minister.

In order to shew the Truth of this, and that it was really the Opinion of Men, who wished well to their King and Country in past Times, that there should be some Director in the Management of the King's Business, I shall produce some Reflections on the Fall of the Earl of *Clarendon*, drawn from the Letters of the Duke of *Ormond*, and other Persons of Honour in those Days, who were distinguished not only by their Loyalty to their Prince, but also by their Zeal for the Publick, and who were as little inclined to arbitrary Government, much less to a slavish Dependance on a fellow Subject, as any of our modern Patriots whatever.

‘ King *Charles* II suffered much less Pre-  
 ‘ judice in his Affairs from his personal  
 ‘ Failings, than from one Mistake in his po-  
 ‘ litical Conduct. Whether his Restoration  
 ‘ being brought about by a Concurrence of  
 ‘ Persons of different Parties, he had a Mind  
 ‘ to please them all, or thought that a Bal-  
 ‘ lance of Parties was an useful Method and  
 ‘ Instrument

‘ Instrument of Government, or, at least, a  
 ‘ proper Means to obtain some things which  
 ‘ he had at Heart, his Council was compo-  
 ‘ sed of Men who had different Views and  
 ‘ Interests, not only in what concerned them-  
 ‘ selves, but in what regarded the Publick:  
 ‘ Their Principles, both as to Church and  
 ‘ State, were contradictory to one another;  
 ‘ and not having one uniform End in pub-  
 ‘ lick Affairs to pursue, they never agreed in  
 ‘ their Measures; a Discord much more per-  
 ‘ nicious than those Jars which arise from a  
 ‘ Dispute, who shall best serve their Prince,  
 ‘ or who shall serve him in the highest Sta-  
 ‘ tion, which will ever be found in all Courts.  
 ‘ Hence it came that there was no Concert  
 ‘ for the carrying of any Point for the pub-  
 ‘ lick Service; no Rule whereby those who  
 ‘ meant and wished well to it, might be  
 ‘ guided; no Director from whom they might  
 ‘ derive Instructions for their Conduct, but  
 ‘ every one said and did what appeared right  
 ‘ in his own Eyes, and all were left to the  
 ‘ Accident of Wind and Tide, in a popular  
 ‘ Assembly, to drive at Random. Hence  
 ‘ arose that Disunion, Irresolution, Uncer-  
 ‘ tainty, and Uneasiness, which caused many  
 ‘ to grow weary of attending the Service of  
 ‘ the House, and threw others into those  
 ‘ Distractions and Confusions, which being  
 ‘ improved by a small Number of disaffected  
 D 2      ‘ Persons,

‘ Persons, raised a Spirit not unlike that  
 ‘ which reigned in 1641, and produced such  
 ‘ violent Measures as threw all good Men  
 ‘ into a violent Consternation, and would  
 ‘ have made those who knew the House best,  
 ‘ expect the like Calamities, if they had not  
 ‘ been satisfied that the Members loved the  
 ‘ King, and the Constitution, better than the  
 ‘ Faction did which prevailed in those  
 ‘ Days \*.”

If these Reasonings be in any Degree  
 right, as no competent Judge of our History  
 can deny they are ; if these were the Sentiments  
 of the most eminent *Tories*, who acted  
 entirely on Principle, as undoubtedly  
 they were. If there be any Likeness between  
 our present Constitution, and the Constitution  
 at that Time, as there evidently is ; then  
 it follows, that the modern *Tories* must, in  
 this Respect, think as their Ancestors did.  
 That is, they must think that the King is  
 at Liberty to make Use of the Councils of  
 any Minister ; and that a Minister is at Liberty  
 to serve his Majesty in any Manner not  
 repugnant to the known Laws of the Land,  
 or inconsistent with the Constitution ; and if  
 they should think otherwise, it would be impossible  
 for them to justify themselves on *Tory*  
 Principles.

To

\* Life of the Duke of Ormond, Vol. II, p. 350, 351.

To infer from hence, that *Tories* are servilely or slavishly addicted to the Crown, would be a very false Consequence; for, in Truth, they are the only People in this Kingdom who have extensive Notions of Freedom, notwithstanding all that has been said to the contrary. Others are for giving vast Prerogatives to the Nobility, or to the People; and because this cannot be done but by lessening the Power of the Crown, they think and call themselves Friends to Liberty. Such were the Notions of Lord *Hollis* and Colonel *Algernoon Sidney*, who would have made the Nobility Princes, and would have left the King their Superior only in Title; such were the Schemes of *Milton* and *Harrington*, who would have vested all Power in the People. But the *Tories*, following the Rule of the Constitution, are for allowing it's just Rights to the Crown, their legal Privileges to the Nobles, and that Liberty and Property which is their Birthright, to the People. They think, that since the executive Power is in the King by Law, he is at Liberty to act as he thinks proper, as to the Choice of Ministers, and Use of their Councils; provided they are not contrary to the Laws, or are not evidently prejudicial to the Commonwealth.

They consider that it is not the Crown, not the Administration alone, which is interested

terested in the smooth Conduct of the Government, but the People of *Great-Britain* in general ; and, therefore, for their Sakes, they are willing to give it as few Checks, and as little Disturbance, as they can. In Parliament, where Things are proposed and debated, they speak their Sentiments freely, support them steadily, and act without any Respect to Persons. But when this is done, they judge it both rational and expedient to pursue their private Notions no farther, but to act under constitutional Decisions, as their Duty to the Laws of their Country require. They apprehend, that a Power of distressing any Minister, merely as such, would have as bad Consequences, with respect to the Publick, as if the Nation had no Power of punishing Ministers, when it appeared on the clearest Evidence, that they had acted contrary to the Laws. Because, in that Case, they conceive that no King could ever be secure, no Administration, however upright, have any proper Degree of Safety, much less of Weight or of Authority ; which as it would tend to keep the Nation perpetually embroiled, and hinder it from receiving any of those Benefits which naturally result from Peace and Unity, they believe, that their concurring thus far in support of Power is not less for the Good of the Subject, than for the Honour of the Crown, which they readily own  
 are



are the two Points they have principally at Heart.

Thus much for the first Head. Now to the second.

It is alledged, that if a Number of Facts, *Summizes* generally surmized to be true, be charged upon any Minister, it is reasonable, that without any farther Evidence, a Parliamentary Censure should be fixed upon him, and he thereby removed from the Administration, though none of these Facts are such as would be criminal in the Eye of the Law; and this Proposition is said to be grounded in that Concern, which the Representatives of the People ought always to have for the Interest of their Constituents, in preference to all other Interests whatsoever.

The *Tories*, on their Principles, have always been, and cannot but be, Enemies to accumulative Charges in general, and to all Charges whatsoever, which are not supported by legal Evidence; because, in judging of publick Affairs, they admit of no other Rule than that of the Constitution. All Parties seem to agree with them in this, when the Crown is concerned; and they are not able to discern how either the Reason or the Lawfulness of the Measure comes to be altered, barely by the Measure's coming from any other Quarter. In their Judgment, all Parts of the Legislature are alike bound to the Maintenance

Maintenance of the Constitution, and to them it seems, that the countenancing any extraordinary, any dispensing Power, in one Branch, may be a very dangerous Precedent in respect to the other two, and this Doctrine, they think, is equally agreeable to Reason and Experience.

*Stratford.*

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C. 2. C. 29

As to an accumulated Charge, they thought it had been for ever exploded by the Act for repealing the Attainder of the Earl of *Stratford*; in the Preamble of which it is declared to be expressly against Law; and therefore it is with Amazement that they hear some Men contend, not only for the Revival of this Doctrine, but for a Revival of that Precedent, a Precedent not only condemned by an Act of the Legislature, but even declared incapable of being made a Precedent, by those who were concerned in bringing that noble Peer to the Block, against, and in despite of Law, though according to the Forms of it. The same Men did afterwards however pursue, notwithstanding their Exception, the same Method of Proceeding in the Case of Archbishop *Laud*, on which Occasion the utmost Skill was exerted to give this Notion some plausible Colour. But after all that could be offered, one of the Sages of the Law effectually exposed it, by this humorous Observation, *that if several lesser Misdemeanors, and some great ones, taken together,*  
might



*might amount to High-Treason, then possibly three black Rabbits, and two black Sheep, might make a black Horse.*—Nor is the Matter at all mended by saying, that several Arts, done with a criminal Intention, may, taken together, render a Man criminal.

Again, as to the Point of Evidence, it is simply impossible, on *Tory* Principles, to conceive, that any Branch of the Legislature can create a new Law of Evidence, and afford it a sufficient Sanction to satisfy the Minds of thinking People, who are in Earnest concerned for their Liberties, and afraid of seeing them violated by any Power, or on any Pretence whatsoever. They do admit, that Indictments or Impeachments may be founded on Facts of uncontroverted Notariety, but they think that this is no Way applicable to any Facts mentioned on a late Occasion, because none of these were notoriously true in any other Sense than that of Opinion, and this is a Kind of Evidence that would scarce pass in the Schools, much less elsewhere. Opinion is indeed a good Ground for Dissent, but the worst in the World for Accusation; otherwise Men could never differ upon important Subjects without desiring to injure or hurt each other, which is contrary to Reason, and the Good of Civil Society.

As to what has been said, as to Parliamentary Sanctions, that they ought not to screen any Minister, this too falls short of the Case. For when was it ever heard, that the Rectitude of a Measure, approved by Parliament, was questioned but by equal Authority? then, indeed, the Sanction is taken away, and Ministers are answerable as much as if those Approbations had never been. This was the Case of those who were concerned in the Frauds of the *South-Sea*; they would have covered themselves under such Approbations, and had done it, if a subsequent Parliament had not used the necessary Means to prevent them. But was there any Thing like this done here? has there been any Parliamentary Decision, that the Facts mentioned in the Charge are Crimes? Nothing like it; the Intent of the Motion was to make a Criminal, and thence to infer, that his Deeds were Crimes. All the World knows how deep a Sense the *Tories* had of the Treatment the late Earl of *Oxford* met with, and yet that fell short of this; for the Measures he pursued were examined and censured before there were any Proceedings against him. In a Word, there never was any Thing more directly contrary to the Rules of Reason, and Usage of Parliament, than this Step; and if the *Tories*, as a Party, had concurred in it, they

they would have acted in direct Opposition to all that their Predecessors had done for a hundred Years together. There must thence forward have been a true Coalition of Parties, or at least these Men must have parted with their old Appellation — they might possibly have remained Patriots. — But they could never have become *Tories* again.

They are well aware of the Answer which is commonly given to these Objections, they know that it has been said, and said with great Confidence, both before and since a late Transaction, that it is in vain to expect Evidence, when that is solely in the Power of him whom it is to affect. This, though said with an Air of Triumph, is so far from satisfying them that it seems only to introduce a new Difficulty. For this is as much a Fact as any other, and consequently stands as much in need of Proof. But what if after all, the Evidence is not in his Power? What, if after all that could be done, it should never be found; where are we to be then? It will be said this is putting an improbable Case, but I say not, we have but too many Precedents of this Sorts, I will mention but a few.

The Party who ruined the Earl of *Clarendon* proceeded exactly in this Manner. They introduced a general Charge against him

him in the House of Commons, supported by *Orators* instead *Witnesses* : These alledged that he was a *Prime Minister*, a *Sole Minister*, the *Kings Preceptor*, and that he directed all Things absolutely, even *Foreign Affairs* which he did not understand ; that he promoted Arbitrary Power, that he behaved ill to the *Dissenters*, that, in short, he was the *Source* of all the *Mischiefs* under which the Nation suffered. There were also some lesser Articles about *Dunkirk*, building a *new House*, and *Bribery* and *Corruption* in his Office, all which were affirmed to be of *publick Notariety*. Upon this he was impeached, and afterwards he thought fit to withdraw for this remarkable Reason, that though never any Man was more Innocent, yet he did not care to trust his Life and Honour to such a Number of Peers as his Enemies might have put into a Commission for his Tryal, for that was the Method then, though we are delivered from it now. But before he went abroad, he drew up so clear an *Answer* to the general Charge against him, that the House very prudently made but a short *Reply*—— they ordered it to be *burnt* by the *Hands* of the *Hangman* : —— They then proceeded against him by Bill, without *any Evidence* whatsoever ; and succeeding Times have been thoroughly satisfied that all those *Facts*, which  
were

were said to be *notoriously true*, were *notoriously false*; *false*, to the Knowledge of that *Faction* who banished this great Minister, and thereby made Way for a mottly Train of *wicked* and *witty* Ministers, who bubbled their *Master* with great Address, and made a mighty Display of their *quick Parts* in exciting *Disturbances*, and ruling by *Parties*; which made the King *uneasy* for *Life*, and in the End, proved the *Ruin* of his *Family* — is there any thing inviting in this Precedent? — Or is it at all wonderful that a *Descendant* of this *worthy Minister* should distinguish himself by opposing a Scheme of the like Nature.

In the Case of the Earl of *Strafford*, in the *Strafford* preceeding Reign, there was yet a stronger Proof that Resentment might influence Men knowingly, and with their Eyes open, to violate the Laws and Constitution of their Country. They had tried the Strength of their Evidence and their Eloquence by an Impeachment, both of which were baffled by the Earl's Innocence and superiour Parts: After this they had Recourse to an Attainder, grounded on such weak such wicked Principles, that they themselves, who were not much given to blushing, could not help being ashamed of it; they declared it Treason in him to have done what every Lieutenant,  
every



every Deputy of *Ireland* had done almost every Week of his Life. When they saw that the Majority of the House detested these Proceedings, they had Recourse to a Mob; they drew up Lists of such as had voted against the Bill, and having thus taught the Rabble whom to insult, we need not wonder that to save their *own Lives*, the *Members* gave up *his*. All these Steps are exactly related in the Preamble of the Act passed for reversing the Earl's Attainder, and stand there as so many *Beacons* to warn Posterity of their Danger, in Case they should ever take such Steps again.

*Evidence* Ought we not then to be careful of mistaking Evidence, supplying Evidence, or trusting for Evidence, after such Instances as these? Besides, if Men are sure that Evidence is concealed, they must have some Evidence or other of this; why then do they not produce it? We know that there are a Multitude of Facts surmized and circulated amongst the People, which, if proved, would have been much to the Purpose; why did we not hear of these in a proper Place? Was it not enough that, in this Manner of Proceeding, the same Men were to be both *Parties* and *Judges*, why then must they be made *Witnesses* too; for so they must have been, if they had suffered their own Difference in Opinion to have

have passed with them for Evidence! Had this the Air of Justice! Had it the Aspect of Equity, or Impartiality! Had it even the Colour of Reason, or the Face of Decency! Or had it not rather —— but I am defending only, not accusing, and therefore I will not say what it might have in the Eyes of others, but, surely, in the Eyes of *Tories*, who thought the Cases of *Strafford*, *Clarendon*, *Oxford*, to be hard, extremely hard, this could not but appear in the same Light, and therefore it was impossible for them to act otherwise than they did; and those who are offended with them for this, consider only their own Prejudices, without weighing the Principles of others, or remembering that, with respect to the *Tories*, this is really no Struggle for Power, they are altogether disinterested, and are consequently the more like to be impartial. They could have nothing in View but Justice, and therefore on whatever Side they saw her, there also they ranged themselves.

There is yet another Thing said, with respect to this strange Affair, of which I would be glad not to take Notice, because I can scarce think those, who lay the greatest Stress upon it, are at all in Earnest in what they say; but since they affect to be thought in Earnest, there is a Necessity of speaking to  
that,

that, as well as to the rest of the Things they say. In few Words then it is alledged, that the *Tories* did not distinguish properly, for that the Thing intended was no Punishment, and therefore all their Notions, with respect to Evidence, were beside the Question. That Places and Preferments are Things to which Men have no Birth-right, and that, in short, concurring in a Desire to remove a Minister, whose Measures we do not like, is a Duty we owe to the Crown, to the People, and to ourselves, not any Mark of Picque, Prejudice, or personal Malice, against him, whom we desire to be removed from the Royal Councils; amazing Discovery indeed!

That Places or Preferments are any Man's Birthright, is what, I believe, no *Tory* ever asserted; but that every Subject is born with an Ability of enjoying them, if the King pleases, is what no Man, acquainted with our Constitution, can deny; and, therefore, attempting to remove a Man from the King's Person and Councils *for ever*, was certainly an attempt to deprive a Subject of his *Birth-right*, if Words have not lost their wonted Meaning. Besides, have Ministers no Title to Character, to Reputation, to Credit, with their fellow Subjects, or to Fame with Posterity; and if they have, shall the taking  
all

all these away be esteemed no Punishment? A Man's good Name ought to be dearer to him than his Life; and I dare say, that many Gentlemen, who concurred with that Motion, will freely confess, that they had rather die than fall under such a Censure as this, and yet, they say, this is no Punishment! But farther still, did not the same People tell us, that this Point once carried, we should come at Evidence which would enable us to go much farther; so that this was to lead us to a Power of punishing, perhaps, in the highest Degree, and in the Interim, was to lay the Person aimed at open to publick Odium; yet it was no Punishment! It did not affect Life or Limb, as a Gentlemen said, but it affected not only the Honour of a Person in a very high Station, but that also of two Parliaments, and of his Master; and yet the Thing that was to have these great Effects, was no Punishment, and therefore needed no Evidence. If, indeed, the *Tories* could have satisfied themselves with this, they might have concurred with their Friends, and pretended to have kept their Principles.——

But the Point is, how many of the prudent Part of Mankind now, or how far Posterity in general would have credited

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these Pretences? — A Question, but too easy to be answered.

The *Tories*, as a Party, have hitherto maintained a tolerable Reputation in point of Sincerity ; they have sometimes been charged with Hastiness, sometimes with Obstinacy, but I do not remember that even their greatest Enemies have, at any Time, charged them with Dissimulation. But they must have been guilty of this in the highest Degree, if they had pretended to act from Principle in such a Proceeding as this, and alledged, in Defence of it, so trifling a Distinction as that between a Censure and an Impeachment. As Things stand at present, the Subject is pretty well secured against any sudden Starts of Vengeance, in any of the Branches of the Legislature. The Repeal of the Earl of *Stafford's* Attainder hath set a just Mark of Ignominy on such harsh and hasty Proceedings, and on every Step which must be taken, in order to bring them about. The acknowledged Right of every hereditary Member of the House of Lords to be tried by his Peers, without Exception, prevents any Nobleman from falling under the like Necessity, with that which befel the Earl of *Clarendon*, who was glad to go into Exile, to save his Country the Shame of his Murder. But to what Purpose



Purpose have these Fences been raised, if it is in the Power of angry Men, at any Time, to pull them down? It is true, this Motion would have taken but a Stake or two out of the Hedge, but even that Gap would have been fatal, and therefore it argues both Wisdom and Courage, Penetration as well as Probity, in those who would not suffer an over-weaning Fondness for their own Opinions, or the warm, eager Sollicitations of their angry Friends, to hurry them beyond the Bounds of Reason and Justice.

——Their Inclinations carried them, *usque ad Aras*——but there they stopped.

Here, indeed, I thought to have stopped myself, but having heard it reported, that the best Friends of a late Motion never thought it would be carried, and that they made it only with a View to the *approaching Election*, I think myself obliged to go a little farther, in order to consider that Point. I must however confess, that this Report has no great Credit with me. It has no Sort of Connection with the sanguine Hopes, which some Gentlemen discovered a little before that extraordinary Scheme took Place. It seems not to tally very well with the Arguments used in Favour of that Measure; in short, it seems rather to be an After-game, invented to serve some Purpose,

and to inspire some People with an Opinion, that notwithstanding what has happened, our Modern Patriots are very deep Politicians. — For my part, I always thought so, and I think so still; though I must admit, that this Measure is very far from being one Reason for my entertaining that Opinion: Quite the contrary, I am fully perswaded that if they had foreseen it's Consequences, our Patriots would never have made this Motion at all. But now it has been made and miscarried, it is fit that something, nay, that many Things should be said — and this amongst the rest.

The Election of a new Parliament is always a Matter of the highest Importance to the People of *Great-Britain*; it is then the great Prerogative they possess as Freemen returns into their Hands, and it is put into their Power to shew their Approbation or their Resentment of the Conduct of their Representatives during the foregoing Parliament. It is no wonder therefore that at such a time Factions should do their utmost to give such Colours to their Designs as may best serve to lead the Opinion of their Countrymen, and consequently determine their Choice in favour of Candidates of their Stamp. However, it  
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is by no means usual for Men to declare they act with a View to Elections; and therefore I can scarce apprehend the Report, I have before mentioned, to be well grounded; because it seems to me a thing unworthy of true Patriots, to avow an Intention to influence Electors in any Manner whatsoever. At least this is my Notion of the Matter, for to me all kinds of Influence are alike; because they are apparently Invasions of that Liberty which ought to be allowed every Man in the Choice of his Representative, who is such only in Right of his being freely chosen. Men may be as well deceived by Promises as by Premiums; but when they are left entirely to their own Election, they cannot be deceived, though it is not impossible they may be mistaken; and yet even this Evil will happen but rarely, and when it does so it must be borne with; because no Remedy can be applied, which will not introduce some Mischief that is much greater.

I insist upon this the rather, because of late great Pains has been taken to make People believe that Influence can only come from a certain Quarter, and in the Shape of Profit: This however is no certain Truth. A Man who gives one false  
Ideas

Ideas of Things, and of his own Conduct in respect to them, and thereby carries an Election, employs as great a Degree of undue Influence, as he who acquires an Office of the like Nature, by an indirect Application of another kind. Mens Understandings may be captivated as well as their Minds corrupted, and therefore that Candidate is, generally speaking, the most worthy of being chosen, who is least forward in his Application; and, will, in the end, be found most ready to assist his Country in general, or the Place he serves for in particular. Such as betray in these Applications an unusual Warmth, seem to discover their having some secret Purposes, whereas the Man who aims purely at the Service of his Country, though he may be very assiduous, yet shews no Signs either of Anxiety or Apprehension:

The People in general, I mean such as have Votes in all Elections, are much better Judges of Persons than of Things; and if they were left to themselves, and had no Applications made to them from any Quarter, they would undoubtedly consider not the Parties, but the Personal Qualifications and general Character of those they intrusted as their Representatives. An honest sensible Man is a proper Member for any  
Place,

Place, and such the People in all Places would look out, without trouble to themselves, or Expence to their Members, if there was no interfering in this Matter at all. Such Men so sent up to Parliament would be a true and proper Representative of their Country ; in them, as in a Mirrour, might be discerned the real Temper, the true Complexion, of their Constituents. These Men would give the Crown no unnecessary Trouble, nor would they suffer the Commons to be loaded with any unnecessary Expence. All the Arts of Management would be needless, because an upright Administration might do any thing ; and if a Ministry of another Stamp should attempt such Practices, they would prove fruitless ; for such a Body of Men would not be managed. In short, a free Choice is essentially necessary, to what all honest Men most earnestly wish, a free Parliament ; since there is the highest Probability that the People in general would go right, if no intriguing Heads were set on Work to lead them wrong.

Every Body knows that heretofore Members received Wages, from those they represented, which was a thing reasonable in itself, and had many good Consequences attending it, which are little adverted to.

First,



First, it secured the Freedom of Elections; for when the People were to pay their Members, they were sure to chuse none, but such as they thought would deserve their Wages. Secondly, it obliged their Representatives to give a strict Attention to the Affairs of the Places for which they were chosen; and if they failed in this, the People had an evident Right to put them in Mind of their Duty, and to call upon them, to obtain a Redress of any Grievances under which they laboured, or to procure them any legal Advantages, of which they stood in Need. Thirdly, it occasioned a great Liveliness and Vigour in Parliamentary Proceedings, Sessions were not spun out in factious Debates, wherein the best Speakers, whether they are or are not the best Men, make by much the greatest Figure; but the Business of the Publick was done, the Expectations of the People answered, the Members returned again into their Countries, and their Wages ceased. So that as the Meeting of the Parliament gave the People hopes, on Account of the Business that was done there, so the Conclusion of a Parliament was likewise satisfactory, because it eased them of a very sensible Expence.

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If any one should say, in answer to this, that the Custom I speak of is long ago grown into Disuse, and that it would be neither prudent nor practicable to attempt the reviving it, I would not enter into any Dispute with them on that Head, but would content myself with desiring them to consider, how it grew into Disuse. For this, I think, two Causes may be assigned; the one, that Wages remaining settled, according to the antient standard, by the Alteration of the Nation's Circumstances, they came to be inconsiderable, and scarce worth demanding. But this might have been easily helped by Authority of Parliament, and, perhaps, a better Measure than helping it could not have been thought of: It is certainly a bad Thing to let a good Custom be lost. The second Cause was, that Gentlemen began to find their Account in serving in Parliament without Wages, and this was the essential Cause why this Practice came to be entirely disused. From this fair and natural Account of the Matter, it must be clear to every Man of Penetration, that the People were great Losers by their being eased of this Expence; and that a Thing so seemingly inconsiderable has had very bad Effects, though not discernable to every Eye. When Men served for the Ho-

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nour of serving, they began to think themselves more independent, and, by Degrees, from acting according to the Constitution, they framed Designs of altering it; which, whatever their Intentions were, certainly never did, nor ever can, produce the People any Good. Add to this, the Heats and Disorders, which an unwarrantable Zeal for religious Opinions brought in amongst us, and we see, in one View, the Sources of those Disturbances, which have happened among us since the Death of Queen *Elizabeth*, and from which, at this Day, we are very far from being free.

The Rise of so many little particular Interests introduced a Multitude of Parties, and proved the Bane of true Patriotism. Men began to make their Court to the People, not by mending the Interest of the the Publick, but by supporting whatever Set of Notions was become popular; and these Principles and Practices giving great Disturbance to the Court, new Mischiefs arose from thence, bad Ministers found it an easy Matter to persuade their Masters, that they had Interests separate from those of the People; and the best Ministers found it a very difficult Matter to please the People in general, even when they acted upon no other Principle than that of publick Spirit.

Spirit. There cannot be a stronger Instance of this than the Treatment the Earl of *Clarendon* met with, even from those for whom he sacrificed himself. Without Question he was ruined for his Firmness to the Constitution in Church and State, that is for his Zeal for the People's Freedom and the Protestant Religion: And yet Mr *Baxter*, who was neither a weak nor a wicked Man, published it in print, that the Earl fell into Disgrace, through the just Judgment of God, for persecuting his People, that is the Nonconformists. To such a Height can religious and political Enthusiasm inflame the Spirits, even of honest and well-meaning Men, and so difficult a thing it is, even for the ablest and mildest, and best intentioned Ministry to escape Censure, while the Minds of Men are agitated by Disputes which they think of Importance, but which are certainly of far less Consideration than the national Interest and publick Peace.

It is certainly true that, of late Years, the Nation hath been pretty free from religious Disturbances; and this ought to be considered as a great Blessing, since Experience shews us, that nothing is so capable of imbittering the Minds of Men, and inflaming them against each other, as that

which ought to inspire with contrary Sentiments, and incline them for Conscience Sake to study Peace. But perhaps this good Effect has been in some Measure, nay, I believe I should not err if I said, in a great Measure, owing to a very bad Cause. I mean the too great Attention of Men to their temporal Concerns, and their living and acting as if they had no Hopes, no Views, but for this Life. This has produced a Variety of civil Disputes, and a Multitude of political Projects, advantageous enough for private Persons; but extremely detrimental to the Publick. In the midst of the highest and warmest Declarations of Patriotism from all Sides, we have seen Men of all Parties plunging into Practices of quite another Nature, manifesting thereby the Falsity of their Pretences, and that their shew of publick Spirit was only put on to serve private Purposes. This, in a considerable Tract of Time, and by frequent and flagrant Repetitions, has had the very worst of all Consequences; it has brought Patriotism itself, the Noblest, the most Valuable of all civil Virtues, to be thought a Chimæra; and introduced that Corruption, of which serious Men are justly apprehensive, as a thing portentive of the Ruin of our State. If, in these Days, a Man opposes Power in  
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the mildest Terms, and with the most solemn Assurances of Duty to his Prince, he passes with the Many for a *Jacobite*, and for a Hypocrite with the Few. On the other Hand, if a Minister, or any of his Friends, propose any Scheme for publick Advantage, and declare they do it with the the most disinterested View that can be, they are generally disbelieved, and the thing is immediately represented, as dangerous to the People, and destructive of Liberty. Thus one Side exposes the other, till both are rendered suspected, and the Grofs of the People are ready to cry out of Statesmen and Anti-Statesmen, *Whigs* and *Tories*, Patriots and Politicians, that *there is none that does good, no, not one*; and if this be our Sentiments at home, what Opinion must be entertained of us abroad!

If this was really true, I can see no good that would result to us from perpetually publishing our Shame, when we ought rather to be studying how to wipe it off. But I am far from believing this is the Case, for though there may be, and doubtless there are, a Multitude of base and profligate Persons amongst us, who have no Bowels for their Country, no Thoughts, no Views but for themselves; yet it is not to be thought there are no Men of true Virtue  
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left in these Nations; the contrary is evident, there are many amongst all Parties, but that the Heat and Clamour of Fools and Knaves keeps the Nation in a Ferment, and hinders such Persons, who are naturally sober and silent, from being known and considered as they ought. We are at present no better than a vast Mob, drawn together we know not how or why, and dinned with the perpetual Harrangues of unwearied and unmeaning Speakers. This Journalist tells us one thing, that Evening Writer another, then come a Shoal of Pamphlets big with new Systems, new Charges, new Projects of Peace, or new Proposals for carrying on the War: In such a Hurry, in such a Confusion, how is it possible that the People should discern their true Interest, or distinguish their real Friends? The only way to do this, is to impose Silence upon all Parties, not by any Law for restraining the Liberty of Speech or the Freedom of the Press, that would but increase the Tumult and augment the Confusion; but by doing what is in the Power of the People, and in no Body's Power but theirs, discountenancing all declamatory Applications, and resolving to proceed in so important an Affair, with that Caution and Sobriety, which it becomes Men to shew, who have their Country's Concerns

Concerns at Heart. If the Commons of *Great-Britain* would but become sensible of their own Power and Dignity, they would quickly check the Rage of Factions, and encourage Men of sound Principles, and true Fortitude, to offer them their Service. But, while we continue in our present giddy State, restless, raving and railing, we may afford frequent Opportunities to artful Men of deceiving; but we shall at the same Time effectually fright the worthiest Men amongst us from all publick Employments, which is the worst and greatest Mischief that can befall any free People; because, it is the single Mischief by which they can be undone, or rather by which they may be made to undo themselves.

It is very easy to foresee the only plausible Objection which can be made to this Proposal, and which certainly will be made, by such as are sure to suffer from its taking Effect: These will say, that whatever may be pretended, this is no more than a fallacious Scheme for lulling the People asleep till the Chains, which have been so long forging for them, be fixed and rivetted. That at such a Critical Juncture as this, Men ought to be put upon their Guard, have the Dangers to which they are exposed fairly told them,  
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and their Enemies freely pointed out. That Moderation is a Virtue only as it is circumstanced, and that where Vigour and Resentment are necessary, he who pleads for Moderation opposes Justice, and by an ill timed tenderness for the publick Quiet, prevents such Severities as are necessary for the Publick Good. In short, that as there are certain Seasons for all Things, so the present is suited rather to quick and sharp, than to slow and mild Methods, which Experience shews have been too long trusted to already. This, I say, is the only Objection that can be offered; and, I think it cannot be denied, that I have put it in the fairest and the fullest Light.

In answer to this, I say, that how specious soever these Reasonings may appear, they have in truth no solid Foundation. The People, in their Collective Capacity, can take no Measures whatsoever for promoting right Councils, for examining the Effects of such as were wrong, or for punishing Offenders; all this is to be effected by a free Parliament, that is, by a Parliament which is the true Representative of those for whom they serve; and this therefore is the single Point to which the People ought to attend. All the other Points are to be submitted to the Consideration of that Parliament,

liament, and therefore, it is as preposterous to talk of canvassing these Points, in order to the Election, as it would be to enter into the Merits of a Cause before a Master, when the Parties are before him, in order to the striking of a Jury. In both Cases, it is the Credit of the Men which ought to be attended to, because on their Judgment the Decision of these Points must depend. In recommending therefore Peace and Moderation, when a thing of such mighty Consequence is upon the Anvil, I certainly pursue the Interest of no Party whatsoever, and least of all that, of which Men seem to be most afraid. But, as I hate all dubious Expressions, and as on this Occasion, I think, it would be unnatural for a Man to speak one thing and mean another; I shall readily explain, what I just now insinuated, and shew that this is the only Antidote which can expel Corruption, and when I shall have done this, I suppose, the Objection will be fully answered.

While such excessive Pains are taken by Men, of all Parties, to prepossess the Minds of the Electors in favour of themselves and their Designs, while such as pretend to the highest Degree of Purity in their In-

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tentions,



tentions, openly avow their taking certain Measures, with a View to influence Elections; such a Gap is made in our Constitution, as seems not only to allow, but to invite all kinds of Influence whatever. It has been already observed, that the general Out-cry of Parties against each other, whatever those who compose them imagine, does, in Reality, prove nothing, or rather proves too much, by proving that they are all in the Wrong. This being the Case, Sollicitations on one Side warrant Sollicitations on the other, and those who exclaim against undue Influence, actually provoke and induce it, by attempting to influence themselves. If all Parties appeal to the People, then all Parties ought to forbear influencing the People; but if after so solemn an Appeal, any Party begins to exert its Interest amongst them by caressing and cajoling, this opens the Way to all the rest, and Men of honest and disinterested Principles lose all their Hopes at once. For where all kinds of Application are made, where the Influences of all the Parties amongst us are exerted, how can we call such a Choice free?

But,

But, if the busy Men amongst us could be perswaded to be quiet but for a small Season, and leave the People entirely to themselves, that Corruption which they so much fear could never take Place: If other Parties did not intermeddle, any Influence from the Administration would be direct and visible, whereas, in the Confusion of Party Applications, it is effectually covered. In such Heats and Struggles, all Influences are blended, and those which otherwise would be thought the most scandalous, come to be represented as necessary. The Consequence of any Set of Men, declaring openly against the Government, is of all things the most favourable to the Designs of the Government be they what they will, because it affords an Opportunity of mingling in the Croud, and of doing a Multitude of Things from a Principle of Self-Preservation, which could be sanctified no other Way. Plausible Pretences will easily be found by all Parties, and when they are managed with Dexterity, the People's Minds must necessarily be confounded. Whereas, if a Calm could be procured, they would soon detach themselves from all such Considerations, and look out for

honest Men, on whose Judgments they might depend. Thus this Objection appears to be made too early, for the Question now under Debate is not how the new Parliament ought to act, but how the People ought to act in the Choice of a new Parliament.

If these plain and free Observations should displease any Party, or, which is more to be apprehended, should provoke the warm Men of all Parties, it will be no more than the Author expects; but if, at the same Time, they are so happy as to excite true Patriots to shew their Concern for their Country, by promoting Peace and Quietness, and discouraging all Kinds of Influence, his End will be effectually answered, and he shall think himself extremely happy, under any ill Usage he may meet with, from such as are declared Enemies to Peace and Unanimity. He the rather recommends these Reflections to the serious Consideration of the *Tories*, as being built upon their avowed Principles; Principles which oblige them to prefer the Security of the Constitution to the Pursuit of any Party Point, as well as to the Safety of any particular Person whatsoever. Their late Conduct must  
certainly

certainly have raised their Reputation with all who have a true Sense of Honour, Justice, and Impartiality; and it is heartily to be wished, that the same Temper, the same Steadiness, the same Respect for the Publick, may appear in their Conduct, on the approaching Election, which was shewn on that Occasion, and then we need not doubt but their Representatives will be such as, in the Prosecution of their Country's Interest, will neither heed the Favour of the Great who are in, nor the undeserved Flirts of the Angry, who are out of Power.

We have too long, as a Nation, sported with Affairs of the most serious Nature, and suffered ourselves to be amused and diverted with Disputes about Things, which to us were of the last Importance; but by this Time it is to be hoped, our Eyes are pretty well opened, and we discern the Folly of becoming well pleased Spectators of political Combats, where, whoever gets the better, we are sure to bear the whole Expence. On the Choice of a new Parliament depends the Settlement of our Trade and Navigation, and the Safety of *Europe*. While such important Things are at Stake, we cannot, sure, think it adviseable to confine our Enquiries

quiries concerning Candidates, to their being for this, or for the other Set of Peoples enjoying Posts: No; the Point is to find out honest and able Men, who will support the Credit of the Nation, and adhere firmly to the Constitution, without suffering themselves to be led astray by Places, or diverted from the Service of the Publick, by private Prejudices against such as have the executive Part of the Government in their Hands. The present Season calls for Advice and for Action, not for Projects or Harrangues, and therefore we stand not in need of Demagogues but Counsellors.

Lastly, let us shew ourselves entirely uninfluenced in our Choice, by paying Respect to the Merit only, and not the Nomination of Candidates, come it from whom or whence it will. It seems to be a Thing incompatible with Liberty, for a handful of Men in any County, City, or Borough, to prescribe to the rest of the Electors whom they shall chuse, and, in a Manner, to limit even the Number of Candidates; whereas every Man, who has a legal Qualification, is capable of being elected, and there can be nothing more reasonable than that, till the



the very Time of making their Choice, the Thoughts of Electors should be free. We have many good Laws for regulating and preserving the Freedom of Elections; but to render these effectual, we must resolve with ourselves to admit of no Prescriptions; he only is a true Friend to Liberty, who professes this Doctrine; whoever would insinuate the contrary, would only determine us in our *Choice* of *Chains*, which, surely, is below, or rather unworthy, the Care of *Those* who may be *Free*.

*F I N I S.*



1857

At the Court of Sessions at New York  
in the County of New York  
the 1st day of January 1857  
I the undersigned Clerk of the Court  
do hereby certify that the within  
copy of the report of the  
Commissioners of the  
Land Office is a true and  
correct copy of the original  
report of the said Commissioners  
as the same appears from the  
minutes of the Court.

CLERK

Tilley









